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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,871	03/17/2004	Michael J. Michelsen	026595-004900US	5467
20350 7590 03/18/2008 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834				
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BASIT, ABDUL				
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3694				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/803,871

Applicant(s)

MICHELSEN ET AL.

Examiner

ABDUL BASIT

Art Unit

3694

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This is in response to Applicant's remarks received on 12/19/2007

Response to Applicant's Remarks

1. Claims 1-11, and 13-35 are pending. Claim 12 has been cancelled.
2. Applicant argues that claims 1-11 and 13-35 are allowable. The Office disagrees, and provides a response to Applicant's arguments in the respective claim section.
3. This is a final action.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 and 13-32 and 34 are still rejected under 35 U.S.C. 103(a) as being unpatentable over Licciardello (US Pub. No. 2004/0164145) in view of Gatto (US Pat. No. 6,149,055).

Regarding claim 1:

Applicant argues that Gatto does not teach a system that can relate account information of a sender to one or more recipients in order to facilitate the transfer of money. Gatto does not teach this. However Liccardello teaches a system that can relate account information of a sender to one or more recipients in order to facilitate the transfer of money. (see at least ¶ 5-10 and figure 1).

Applicant argues that Gatto does not teach a database for storing account information of senders and recipients. However, Gatto does teach a database for storing account information of senders and recipients. For example, Gatto teaches an ATM system that can preselect transaction types based on stored information relating to the user. (see abstract). Webster's Dictionary defines a database as "a collection of data arranged for ease of search and retrieval."

Gatto, not Liccardello, teaches account information which is suggested by storing information in an ATM system. (see column 10 generally).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Liccardello with Gatto. Motivation to modify exists because storing account information helps to save time when transferring money.

Applicant's Arguments

Applicant argues that Liccardello expressly teaches away from the claimed invention, because Liccardello does not teach sender and recipient accounts and thus no database storing such information. Applicant also argues that Gatto does not teach transfer of money between a sender to a recipient. Therefore, Gatto does not teach

relating account information between a sender and a recipient. The Office disagrees on both points.

Licciardello does teach transfer of money between a sender and a recipient. The element of claim 1 which Licciardello teaches, does not state that money is transferred between a sender account to a recipient account. Therefore, based upon the language of the claim element, Licciardello teaches the claimed element and does not teach away. Also Licciardello does teach account information being transferred. While Licciardello does not teach bank account information, the sender does have a temporary or quasi account that allows the sender to provide the transfer PIN and amount information to the recipient. (*See paragraph 7*). Therefore, Licciardello does not teach away from the claimed invention.

The 35 USC 103 rejection used Gatto to teach the other elements of claim 1. Gatto does teach a transfer between a sender and a recipient. The claim language also teaches a transfer between a sender and a recipient, however, it does not stipulate that the sender and the recipient accounts have to be separate entities. For example, if one makes a transfer between one's own checking and savings accounts, then a transfer between two accounts has occurred. This is regardless of the fact that both the checking and savings accounts are owned by the same entity.

Nothing in the claim language suggests that the sender and recipient accounts have to be different individuals or legal entities.

Therefore, claim 1 remains rejected under 35 USC 103.

Regarding claim 2:

Gatto teaches a system of claim 1, further comprising of a database management system in communication with the initiating terminal, for managing sender and recipient accounts at the database, where some of the sender and related recipient accounts are debit accounts, and wherein the transfer of money may be made by transferring money from an account of the sender to an account of the recipients. (see column 10, lines 16-26).

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Licciardello with Gatto. Motivation to modify exists because debit accounts allowed for better efficiency in money transfer.

Regarding claim 3:

Licciardello further teaches a dispensing terminal where transferred money may be received by a recipient, where the database management system is in communication with the initiating terminal and the dispensing terminal. (see page 1, ¶ 5).

Regarding claim 4:

Licciardello further teaches that at least one of the initiating and dispensing terminals is a self-service terminal. (see page 1, ¶ 5).

Regarding claim 5:

Licciardello further teaches that the self-service terminal is an ATM. (see page 1, ¶ 5).

Regarding claim 6:

Licciardello further teaches that at least one of the initiating and dispensing terminals is a terminal operated by a money transfer agent. (see page 1, ¶

5).

Regarding claim 7:

Licciardello further teaches that the initiating and dispensing terminals may be the same terminal. (*see page 1, ¶ 5*).

Regarding claim 8:

Licciardello further teaches that the initialing and dispensing terminals may be different terminals. (*see page 1, ¶ 5*).

Regarding claim 9:

Licciardello teaches a system for transferring money from an originator to a beneficiary, comprising of a network of terminals, including an initiating terminal for initiating a money transfer and a dispensing terminal for dispensing transferred money. (*see figure 1*).

However, Gatto, not Licciardello, teaches:

- A database in communication with the initiating and dispensing terminals, **including a display**, for storing account information of an originator and account information of beneficiaries, and for relating account information of the originator to account information of one or more predetermined beneficiaries. (*see column 10, lines 16-26*).
- A database management system for managing the originator and beneficiary accounts, and in response to a request at the initiating terminal to transfer money from the originator, for automatically accessing the database for account information of the predetermined beneficiaries, so that account information on

each predetermined beneficiary may be provided to the initiating terminal, **for display means**, in order to facilitate the transfer of money from the originator to one of the predetermined beneficiaries. (see column 10, lines 16-26).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Licciardello with Gatto. Motivation to modify exists, because storing account information helps to save time when transferring money.

Regarding claim 10:

Licciardello teaches a system for crediting funds from one person to another, comprising of a terminal means for initiating the transfer of money; data base means for storing account information of senders and recipients, and for relating account information of a sender to account information of one or more selected recipients. (see page 1, ¶ 5).

Gatto, not Licciardello, teaches a database management means in communication with the terminal means, **for display means** for managing sender and recipient accounts, and in response to a request at the terminal means to transfer money from the sender, for automatically accessing account information for the selected recipients at the database means, so that account information for the selected recipients may be provided to the terminal means in order to facilitate the transfer of money from the sender to one or more of the selected recipients. (see column 10, lines 16-26).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Licciardello with Gatto. Motivation to modify exists, because storing account information helps to save time when transferring money.

Regarding claim 11:

Licciardello further teaches a method for displaying data at a terminal in connection with transferring money from the debit account of a sender to a recipient, comprising of associating a debit account of the sender with one or more recipients, the associated recipients being those to whom the sender may transfer money, and after entry of sender account information at the terminal, displaying information on each of the associated recipients, so that the recipient to receive the money transfer may be selected based on the displayed information. (see page 1, ¶ 5).

Licciardello also teaches the debit account information of the sender is associated with debit account information of the associated recipients and wherein the displayed information on each of the associated recipients is the account information of those recipients. (see page 1, ¶ 5).

Regarding claim 13:

Licciardello further teaches the recipient account information displayed is an account number. (see page 1, ¶ 8).

Regarding claim 14:

Licciardello further teaches that the recipient account information displayed is the name of the recipient. (see page 1, ¶ 8).

Regarding claim 15:

Licciardello further teaches that the money transfer is made from the account of the sender to an account of the selected recipient. (see page 1, ¶ 8).

Regarding claim 16:

Licciardello further teaches that the money transfer is made from the account of the sender and is wired to a destination associated with the recipient. (*see page 1, ¶ 8*).

Regarding claim 17:

Licciardello teaches a method for transferring money from a sender to a recipient. (*see page 1 ¶ 5*).

Gatto, not Licciardello, teaches establishing an account and account information for each sender and each for a specific sender, establishing one or more recipients to whom money may be transferred by the specific sender in response to entering account information for the specific sender at an initiating terminal, providing account information for the established recipients at the initiating terminal, and transferring money to the account of the recipient designated by the sender. (*see column 10, lines 16-26*).

Gatto, not Licciardello, **teaches without the sender being required to communicate payout information to the recipient and without the sender needing to know details of the recipient account information prior to designation of the recipient.**

(*See column 10, and abstract*)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Licciardello with Gatto. Motivation to modify exists, because storing account information helps to save time when transferring money.

Regarding claim 18:

Gatto teaches storing the account information for each sender and each recipient in a database connected to the initiating terminal, wherein the account information of the specific sender is related to the account information of the established recipients within

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the database, wherein the step of providing account information for the established recipients at the initiating terminal comprise of a database and retrieving the stored account information of the established recipients from the providing the retrieved account information to the initiating terminal. (*see column 10, lines 16-26*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Licciardello with Gatto. Motivation to modify exists because storing account information of established recipients helps to save time when transferring money.

Regarding claim 19:

Licciardello teaches the initiating terminal is a self-service terminal. (*see page 1 ¶ 5*).

Regarding claim 20:

Licciardello teaches the self-service terminal is an ATM. (*see page 1 ¶ 5*).

Regarding claim 21:

Licciardello teaches that the initiating terminal is an agent operated terminal. (*see page 1 ¶ 5*).

Regarding claim 22:

Licciardello teaches that the accounts established for the sender and the recipient are debit accounts. (*see page 8 ¶ 69*).

Regarding claim 23:

Licciardello teaches that the initiating terminal is a self-service terminal and wherein the sender account information is entered at the self-service terminal by providing a debit

account card to a card reader at the self-service terminal. (see page 8 ¶ 69).

Regarding claim 24:

Licciardello teaches dispensing part or all of the transferred money from the account of the designated recipient at a dispensing terminal. (see ¶ 15-16).

Regarding claim 25:

Licciardello teaches the dispensing terminal is a self- service terminal. (see page 1 ¶ 5).

Regarding claim 26:

Licciardello teaches the self-service terminal is an ATM. (see page 1 ¶ 5).

Regarding claim 27:

Licciardello teaches the dispensing terminal is a self-service terminal and wherein the transferred money is dispensed at the self-service terminal in response to providing a debit account card to a card reader at the self-service terminal. (see page 8 ¶ 69).

Regarding claim 28:

Licciardello teaches the dispensing terminal is an agent operated terminal. (see page 1 ¶ 5).

Regarding claim 29:

Licciardello teaches providing a gift card to each recipient that may be used to conduct transactions against the gift card account. (see page 8 ¶ 69).

Regarding claim 30:

Licciardello teaches the step of establishing one or more recipients comprises establishing a first group of selected recipients and a second group of selected

recipients, and wherein the method further comprises of displaying the first group and the second group of recipients at the initiating terminal. (see page 1 ¶ 5).

Regarding claim 31:

Licciadello teaches a method for transferring money from a sender at an initiating terminal to a recipient at a dispensing terminal, comprising of one or more recipients to whom money may be transferred. (see page 1 ¶ 5).

Gatto, not Licciadello, teaches:

- Establishing an account for each of the predetermined recipients. (see column 6, lines 44-50).
- Storing account information for each of the predetermined recipients, and relating each of the recipient accounts to an account of the sender. (see column 6, lines 44-50).
- Requesting the transfer of money at the initiating terminal. (see column 6, lines 44-50).
- Accessing the stored account information for each of the predetermined recipients and providing that account information for display at the initiating terminal in order for the sender to select one or more recipients to whom money is to be transferred. (see column 6, lines 44-50).
- Transferring money to the selected recipients by posting a credit to the account of the selected recipients. (see column 6, lines 44-50).
- Retrieving the transferred money from the account of the selected recipients at one or more of the dispensing terminals. (see column 6, lines 44-50).

- **teaches without the sender being required to communicate payout information to the recipient and without the sender needing to know details of the recipient account information prior to designation of the recipient.**

(See column 10, and abstract)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Licciadello with Gatto. Motivation to modify exists, because storing account information helps to save time when transferring money.

Regarding claim 32:

Licciadello teaches a method for conducting transactions at a financial terminal, wherein the transactions include transferring money from senders to recipients. (*see page 1 ¶ 5*).

Gatto, not Licciadello, teaches the method comprising:

- Establishing an account for each sender and an account for each recipient. (*see column 6, lines 44-50*).
- Storing account information for each sender and recipient for a specific sender. (*see column 6, lines 44-50*).
- Establishing recipients to whom money may be transferred by the specific sender. (*see column 6, lines 44-50*).
- Requesting transfer of money by the specific sender at a terminal. (*see column 6, lines 44-50*).
- Providing account information for **display** for each of the established recipients at the

terminal, in order for the sender to select the established recipient to whom money may transferred. (*see column 6, lines 44-50*).

- Transferring money from the account of the sender to the account of the recipient selected by the sender. (*see column 6, lines 44-50*).
- **teaches without the sender being required to communicate payout information to the recipient and without the sender needing to know details of the recipient account information prior to designation of the recipient.** (*See column 10, and abstract*)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Licciardello with Gatto. Motivation to modify exists, because storing account information helps to save time when transferring money.

Regarding claim 34:

Gatto teaches that a recipient may include destination information for wiring money to that recipient, and wherein the step of transferring money comprises electronically transmitting the transferred money to a location specified by the destination information. (*see column 4, lines 51-60*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Licciardello with Gatto. Motivation to modify exists because electronically transmitting money saves time and expense.

See claim 1

3. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Licciardello (US Pub. No. 2004/0164145) in view of Gatto (US Pat. No. 6,149,055) and in further view of official notice.

Regarding claim 33:

Official notice teaches a fee is charged for conducting at least some transactions, and wherein the fee charged for transferring money is higher than the fee charged for depositing money. Several pieces of evidence have been attached. This includes the following:

- 1) State Farm Bank Account Fees (June 30, 2001). There are no fees for a deposit, however fees exists for transferring money.
- 2) GHCU Bank Account Fees (January 1, 2003). There are no fees for depositing money, however there are fees for the transfer of money.
- 3) NetBank Account Fees (January 28, 2001). There are no fees for depositing money, however there are fees for the transfer of money.

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Licciardello and Gatto with official notice. Motivation to modify exists, because charging a higher fee for removing money than for depositing money assists in increasing revenues for the business that operates the transactional system.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

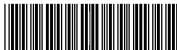
Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABDUL BASIT whose telephone number is (571)272-7246. The examiner can normally be reached on Monday - Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/aqb/

/James P Trammell/
Supervisory Patent Examiner, Art Unit 3694

Application Number**Application/Control No.**

10/803,871

**Applicant(s)/Patent under
Reexamination**

MICHELSEN ET AL.

Examiner

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